



**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed in or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

PTO/SB/30 (08-00)  
App. for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Application Number	09/881,172
Filing Date	14 June 2001
First Named Inventor	Christoph Foth
Group Art Unit	3671
Examiner Name	Arpad Kovacs
Attorney Docket Number	08920C-US

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**Note:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000) which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

a. ☐ Previously submitted

- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).  
ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_  
iii. ☐ Other \_\_\_\_\_

b. **XX** Enclosed

- i. **XX** Amendment/Reply  
ii. ☐ Affidavit(s)/Declaration(s)  
iii. ☐ Information Disclosure Statement (IDS)  
iv. **XX** Other \_ Extension of Time \_\_\_\_\_

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GROUP 3600

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required).

b. **XX** Other \_\_\_ Duplicate Copies of Documents \_\_\_\_\_

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. **XX** The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account

No. 04-0525 \_\_\_\_\_

- i. **XX** RCE fee required under 37 C.F.R. § 1.17(e)  
ii. **XX** Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)  
iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type) Kevin J. Moriarty	Registration No. (Attorney/Agent) 31,045
Signature <i>[Signature]</i>	Date 18 June 2003

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type) Cindy M. Whitacre	
Signature <i>[Signature]</i>	Date 18 June 2003

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

#13/B

7/1/03

Applicant: Christoph Foth

Examiner: Arpad F Kovacs

Serial No.: 09/881,172

Group Art Unit 3671

Filed: 14 June 2001

(Atty. Ref. No. 08920C-US)

For: DISTRIBUTING DEVICE HAVING CONTINUOUSLY MOVING GUIDE  
VANES

Moline, IL 61265

18 June 2003

Amendment after Final Rejection

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The Honorable Commissioner  
of Patents and Trademarks  
Washington, D.C. 20231

Sir:

Responsive to the Office Action dated 18 December 2002, paper no. 10,  
please amend the above-identified application as follows:

In the Drawings:

Attached hereto is a copy of Figures 3 and 4 with proposed changes made in  
red that will be incorporated into the formal drawings.

In the Specification:

Please amend Paragraph 31 as follows:

B,  
[0031] A mechanism to control the back and forth motion of the guide vanes 64 in  
response to wind and the inclination of the ground, and thereby a corresponding  
distribution of the conveyed crop is illustrated in figures 3 and 4. The rotating disk-  
shaped element 84 including the drive 78 and the shaft 82 are fastened to a mount  
97 that is pivotally mounted about an axis of rotation 101 on the top sheet 60. The